

Appl. No. 09/489,667
Reply to Office Action of December 21, 2004

Remarks

Introduction

The above-identified application has been carefully reviewed in light of the Office Action mailed December 21, 2004, which included a final rejection of the pending claims. This Amendment is being submitted within TWO MONTHS of the mailing date of the Final Office Action. Applicant submits that the amendments and remarks included herein show the present claims to be allowable and do not raise new issues. Therefore, applicant respectfully requests that this amendment be entered.

Claims 69-80 were pending. By way of this response, claim 69 has been amended by deleting the phrase "or recombinantly fusing".

Rejections Under 35 U.S.C. §§ 101 and 112, first paragraph

Claims 69-76 have been rejected under 35 U.S.C. § 101, as allegedly being inoperative and lacking utility. Claims 69-76 have also been rejected under 35 U.S.C. § 112, first paragraph for allegedly not being described in the specification of the above-identified application.

Applicant does not concede with the rejections or the remarks made in the Office Action. However, to advance the prosecution of the above-identified application, claim 69 has been amended by deleting the phrase "or recombinantly fusing", which was objected to by the Examiner. The amendment to claim 69 similarly applies to dependent claims 70-76.

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In view of the above, applicant submits that the present claims, and claims 69-76 in particular, satisfy the requirements of 35 U.S.C. §§ 101 and 112, first paragraph, and respectfully requests that the rejections of the present claims based on these statutory provisions be withdrawn.

Allowed Claims


Claims 77-80 are indicated as being allowable. In view of the amendments to the claims set forth herein, applicant submits that all of the present claims, that is claims 69-80, are in condition for allowance.

Conclusion

In conclusion, applicant has shown that the present claims satisfy the requirements of 35 U.S.C. §§ 101 and 112. Therefore, applicant submits that the present claims, that is claims 69-80 are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: 2/21/05

Respectfully submitted,


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